



SENATE CONCURS

Passes Chapin Measure by Large Majority.

HOT DEBATE ON FLOOR

House Influence Kills Bingham Bill—Chamberlain Will Not Veto.

Mc CUE MAKES ACCUSATIONS

Charges House With Jockeying With Subject—Chapin Says Some Members Are Insincere—Others Become Personal in Debate.

SALEM, Ore., Feb. 13.—The Senate passed the Chapin bill at 2:40 o'clock. The only dissenting vote was Wheelodon's. Johnson voted for the bill under protest.

The joint conference committee on railroad legislation recommended the Chapin bill early this afternoon. The Senate committee first proposed that the Bingham bill be passed. The vote stood three to three. The next House committee proposed that the House bill be passed. This resulted in a tie vote. The House committee withdrew and the Senate committee caucused, and finally decided to recommend to the Senate the passage of the Chapin measure. Bowerman and Miller of Marion, a majority of the Senate committee, made the majority recommendation.

The House by a vote of 28 to 29 took another step this morning in throttling railroad legislation. In half an hour the House took the Bingham Railroad Commission bill that had been passed by the Senate from the table and indefinitely postponed it and then the House machine laughed in the face of the Senate by appointing a conference committee composed of Rodgers, Campbell and Jackson, the three leaders, who, with Davey, have fought for the cause of the railroads and petty politics in the House.

McCue plainly told the House that it was jockeying with the entire question, and Mr. Chapin charged that the members who were trying to indefinitely postpone were insincere in their protestations for any railroad legislation. "Let's get together. We are treading on dangerous ground and we had better drop this fight and forget petty politics," he said.

Dye, Edwards and Freeman urged that if the House had any desire at all to be fair it would not kill the Bingham bill, but instead would appoint a conference committee and leave the measure on the table until some mutual action could be agreed on. Every appeal only increased the determination of the majority for immediate action, though some of the majority plainly said that this action was not fair.

Half a dozen personal debates took place on the floor of the House, and it was evident that not for the rest of this session will the members of the House love each other.

When by a margin of one vote the Bingham bill was indefinitely postponed, the men who had slapped the Senate in sarcasm moved that a conference committee be appointed, the motion was carried and the speaker appointed the three leaders in the House who had fought the support of the committee for the original Chapin bill and had just indefinitely postponed the Bingham bill.

When the appointments were made, members called from the floor of the House, "It's going the same old way."

Davey, with a grim smile, responded: "It's according to programme, gentlemen," which is the first time this session that the mask has been dropped. The governor won't veto it. This is almost certain, but had the Bingham bill, giving him power to appoint, been successful, he would have appointed two Republicans.

Skillful political manipulation has directed the proposed railroad legislation for the past few days, cropping out strongly today. The bitter fight waged in the House over an appointive State Board has involved the House organization machinery and Speaker Davey, through his position, has overridden opposition, ignoring it at every opportunity. Speaker Davey promised President Haines and Senator Bingham this morning he would appoint a conference committee before action on S. B. 29. Instead he permitted S. B. 129 to be indefinitely postponed before appointing the committee. Although Coffey, a friend of the Bingham bill, moved for a conference committee, Davey ignored him in making the appointments, placing on the conference committee only the most rabid advocates of the State Board appointments. President Haines appointed as the Senate committee Miller, of Linn and Marion; Bowerman and Hedges, the latter a Democrat. Davey's action in killing the Senate bill and then appointing a conference committee, frustrated the purpose of the conference.

With S. B. 129 killed in the House and the Chapin bill tabled in the Senate, the joint conference became a joke. During the morning session Beach, Bailey, Hodson and Miller, of Marion, attempted to force the passage of the Chapin bill and to prevent the conference. Bingham fought for a conference in order to place Speaker Davey on record.

RESTS IN CONGRESS

Peaceful Settlement of San Francisco Incident Assured.

CONFERENCE AGREES ON PLAN

If Amendment to Immigration Bill is Passed School Board of San Francisco Will Rescind Order for Oriental Schools.

WASHINGTON, Feb. 13.—The Japanese school controversy is settled insofar as President Roosevelt, Mayor Schmitz and the members of the San Francisco school board are concerned. Amicable adjustment of the question now rests with Congress. If an amendment to the Immigration bill proposed by Secretary Root, excluding foreigners who use passports to gain admission to the United States "to the detriment of labor conditions in this country," is accepted by Congress and the Immigration bill is passed at this session of Congress, the San Francisco school board will rescind its order establishing Oriental schools, unless the Japanese government agrees to the proposition to separate schools which will provide equal facilities for Japanese children.

Schmitz and his associates conversed with the President today and assured the President that the amendment to the Immigration bill would be entirely satisfactory to them. Secretary Root participated in the conference and made a report on his negotiations with Republican leaders in the House and Senate and with the Japanese ambassador. While the Californians are still hopeful that Viscount Aoki will agree to separate schools in California they stand willing to rescind the order establishing Oriental schools and again admit Japanese children to white schools.

Another conference will be held at the White House Friday and in the meantime the President hopes to be able to assure Schmitz and his associates that the exclusion amendment will be passed at this session of Congress.

MAY EXTEND SESSION

Lower House Favors Two More Weeks

CAN'T COMPLETE WORK

But Disgusted Minority Members May Go and Not Leave Quorum.

THREE HUNDRED BILLS LEFT

House Would Have to Pass Measures at the Rate of Twelve Bills An Hour to Finish on Time—New Bills Being Introduced.

SALEM, Ore., Feb. 13.—The Oregon Legislature may do this session what it has never done before—extend the 40 days' session for another week or two.

The situation is this: If the House holds night sessions every night until Sunday, it will have, including today, only 28 working hours, the sessions being each day from 10 a. m. to noon and from 2 to 5 p. m. and from 8 to 10 p. m. With 28 working hours left in which to pass House bills the House has something more than 320 bills to act on, nearly as many as are usually acted on during an entire session.

This means that during every working hour from now until the end of the week the House must pass finally on nearly 12 bills an hour, and to date no Oregon House has ever made a record of that sort. As many of the most important measures of the session are still ahead of the House, it is clearly impossible to attain this average, for at the utmost speed on local measures that require slight debate the House finds trouble in disposing of more than half a dozen an hour the day through.

More bills have been introduced for first reading the last three days than have been disposed of, something that never happened before. The members for ten days have been saying something must be done. But now they are frank in confessing that they don't know what to do.

Half a dozen leaders in the House, including the Speaker, have been interviewed on this question today and without exception they can see no way out unless another week is added to the session. Everyone admits that this is the only feasible way of escape, but the majority are anxious to go home and several state that they will leave for home when the 40-day term expires, no matter what the House may decide to do.

It might easily result that the legislature would decide to prolong its sessions and then lose enough members so that no quorum would be present and nothing could be done. The latest fight over the railroad bill in the House has antagonized a strong minority in the House and many are disgusted enough to leave the legislature suspended in mid-air.

TWELVE HONOR LINCOLN.

Number of States Will Officially Observe His Birthday.

NEW YORK, Feb. 12.—Twelve states of the Union will today officially honor the memory of Abraham Lincoln. Lincoln's birthday is a legal holiday in this state, Colorado, Connecticut, Delaware, Illinois, Massachusetts, Minnesota, New Jersey, North Dakota, Pennsylvania, Washington and Wyoming.

With the passing of each successive decade, the observation of the natal day of the Civil War President is becoming more marked. Many political organizations, societies and clubs will observe the day this year with dinners and social gatherings. One of the largest of these will be the annual Lincoln's birthday banquet of the Republican Club at the Waldorf Astoria. Banks, exchanges, schools and post-offices stations will be closed because of the holiday. Hotels, theatres, public buildings and clubs will be decorated with the national colors and flags will be hung to the breeze at half mast.

MAKE MORE HEADWAY.

Half of Naval Appropriation Bill Completed by House.

WASHINGTON, Feb. 13.—Considerable headway was made today by the House in the consideration of the Naval Appropriation bill and more than half the bill was perfected. A number of points of order were made and sustained against minor provisions of the bill. President Roosevelt's public land message was read. An appropriation for a steel floating drydock to cost not to exceed \$1,400,000, was also stricken out, on a point of order made by Mann of Illinois.

BILL UNSATISFACTORY.

WASHINGTON, Feb. 13.—The compromise coal land bill has been agreed upon by the House Committee on Public Lands, but falls far short of the President's programme. In the bill agreed upon coal land is reserved under the same restrictions as land entered under other laws than coal land laws with the exception of homesteads, patents to which are issued without commutation.

THIRTY ARE VICTIMS

Gas Explosion in Los Angeles Kills and Injures Many.

BRAVE RESCUE WORK DONE

Proprietor of Restaurant in Which Catastrophe Occurs Rushes into Flames and Saves Maimed Men from Falling Walls.

LOS ANGELES, Feb. 13.—An explosion due to leaking gas in a restaurant near the corner of Second and Main streets in the heart of the city today killed three persons and horribly mangled and injured half a dozen others, seriously injured nearly a score more and completely wrecked a two-story brick building in which were located four small business concerns. The restaurant was completely wrecked as was also a tailoring establishment and a small laundry. The offices of several small concerns on the second floor were completely ruined. A large force of firemen and workmen labored all the afternoon clearing away the wreckage. Electric lights were strung tonight and the work continues. It is feared that others are still in the ruins. The building was an old one and will be a total loss. Other buildings in the vicinity, one of which was the First National bank, also suffered severely. The exact cause of the explosion is yet unknown, but it is believed that gas was ignited by an employee of the gas company who was searching in the basement for a leak in the pipe. He was terribly injured and may die. Many had narrow escapes and a number of brave rescues of injured were made by the proprietor, who rushed into the smoke and dust and dragged out the maimed and helpless ones from the danger of falling walls.

ASTORIA MAN APPOINTED.

WASHINGTON, Feb. 13.—Lars Bergsvick, of Astoria, has been appointed an engineer in the Reclamation Service.

POSSIBLE MISTRIAL

Illness of Juror's Wife Delays Thaw Case.

MAY CAUSE SUSPENSION

Physician Declares Thaw's Pulse Shows Poor Nervous System.

HAS DEPRESSION IN SKULL

Defense Will Probably Introduce Thaw's Will Again Today, as Testimony—After Which Mrs. Thaw Will Resume Story.

NEW YORK, Feb. 13.—The Thaw trial today was limited to an afternoon session of less than two hours' duration, the morning session having been abandoned because of the illness of the wife of Juror Bolton. The juror was allowed to visit his home in company with two other jurors and two court officers. He found his wife suffering from double pneumonia and two physicians certified that her condition was very serious. Bolton returned to the jury panel in time for the afternoon session. There was a stipulation by the counsel by which the juror might again visit his home accompanied by the balliffs tonight. Bolton this afternoon appeared distracted, taking little interest in the proceedings. If Mrs. Bolton's condition continues so critical her husband cannot be expected to give proper consideration to his duties as a juror, there may be an indefinite postponement, all jurors being locked up, or possibly a mistrial.

Dr. Britton D. Evans gave the only testimony heard today. His direct examination was concluded, but District Attorney Jerome reserved the right to cross examine the expert later. Dr. Evans testified to the existence of a depression in the back of Thaw's head of the most unusual character, but was unable to state its significance. He said Thaw's pulse was the most extraordinary he had ever seen. It would vary 12 to 14 beats in a minute. The pulse indicated that his sympathetic nervous system was seriously at fault. Evans said he discovered no evidence of drug habits nor any tremors characteristic of excessive indulgence in intoxicants. As a result of the conference between the counsel just before adjournment Jerome's attorneys said Thaw's attorneys had turned the will of the defendant over to him for examination before it should again be formally offered in evidence. Jerome said he might not offer any further objection to it. The counsel also agreed that Jerome should have the privilege of talking freely with Dr. Deemar and Dr. Bingham, the Thaw family physician, about certain testimony they have to offer. Jerome said if he knew the nature of the testimony he might not have to occupy so much of the court's time and crowd the record with technical objections. Tomorrow Deimas will offer the will in evidence. If it is accepted by the district attorney it will be read to the jury. If it is not accepted by the consent of the district attorney, there is likely to be an extended argument. Following the disposition of the bill, Mrs. Evelyn Thaw will resume the stand.

MUCH WORK DONE.

WASHINGTON, Feb. 13.—The Senate today passed a bill giving the gov-

ernment the right to appeal to the Supreme Court for construction of constitutionality of any law involved in the criminal court.

This measure has been under consideration for several days, and was passed only after many amendments had been suggested at the suggestion of those senators who have criticized the provisions of the bill. The District of Columbia appropriation bill carrying nearly eleven million dollars was passed after an hour's consideration. A bill establishing an agricultural bank in the Philippines was taken up for consideration, but difficulty was encountered because of the Philippines tariff bill which passed the House at the last session was offered by McCrea of Kentucky as an amendment. No action resulted. The conference report of the Immigration Bill was read but action was deferred. The bill had been in conference since the last session of Congress and is brought forward at this time to aid the administration in settling the Japanese-California school question. The message of President Roosevelt urging the consideration of legislation affecting public lands was read. The Senate held its first night session to consider private pension bills.

EX-GOVERNOR HIGGINS DEAD.

OLEAN, N. Y., Feb. 13.—Ex-Governor Frank W. Higgins died at 8:30 last night. For years Mr. Higgins had been afflicted with heart trouble. He was repeatedly warned by physicians of a serious organic difficulty after he had entered upon his duties as governor of New York, but he refused to relax his efforts in the performance of his duties. He remained conscious to the last. Mr. Higgins was born August 18, 1856, at Rushford.

CHARGES COWARDICE

Larchmont Survivor Says Women Were Left to Fate.

Negro Waiter Declares Captain Got in Small Boat and Then Told Passengers to Step In—Women Were Left on Board.

CAPTAIN FIRST TO LEAVE

PROVIDENCE, R. I., Feb. 13.—Terrible tales of suffering were brought here tonight by survivors of the steamer Larchmont and some passengers assert that in the hour of peril helpless women were thrust aside by men who cared only for their own safety. The charge of cowardice is made by Fred Heigessell, an 18-year-old lad of Brooklyn, N. Y. He said that not only were women left to their fate, but that Captain McVey left the sinking ship in the very first boat; that some of the ship's crew filled the boats to the exclusion of passengers and at least one boat was manned without oars when put over the side.

Louis McFarland, a colored waiter on the Larchmont, said that when he reached the captain's boat he found the captain there. The captain ordered the boat to be swung out, calling to passengers at the same time to step in. The passengers, McFarland said, seemed afraid to do so and as the ship was going down, McVey ordered the boat lowered. When it reached the water, however, the rope fastened to the ring bolt and attached to the davit above became caught and those in the boat were in danger of being dragged down with the steamer when the boatswain cut the rope.

Heigessell's statement is not confirmed by any of the other survivors, but he insists that he is right. President Dunbaugh stated tonight that the schooner was responsible for the collision and in view of the short time before the steamer sank he believes the steamer's crew did all they could